

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	
JOWHAR SOULTANALI, KABIR	)	No. 14 CR 229
KASSAM, BRILLIANCE ACADEMY,	)	
INC., BABBAGE NET SCHOOL, INC.,	)	Judge Durkin
ARTURO MARTINEZ, CEDRIC	)	
PETERSON, ARMANDO RODRIGUEZ,	)	
and BRIAN HARRIS	)	
	)	
Defendants.	)	

**JOINT MOTION FOR AMENDED ORDER REGARDING  
RESTITUTION DISBURSEMENTS**

Relator Miriam Standish, by her attorney Andy Szot, and The United States of America, by John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, jointly move this Court to enter an amended order regarding restitution disbursements. In support of this motion, they state as follows:

1. The defendants were all convicted of various counts of mail fraud under 18 U.S.C. § 1341 or counts of theft or bribery under 18 U.S.C. § 666.
2. The defendants were ordered to pay restitution to the Department of Education or the individual school districts that they had defrauded.
3. Relator Miriam Standish brought a related civil *qui tam* case before the United States chose to prosecute the defendants criminally. *United States ex rel. Standish v. The Brilliance Academy of Math and English, et. al.*, No. 12 C 1366 (N.D. Ill. J. Tharp).
4. Over the United States objection, the relator intervened in this criminal proceeding for the narrow purpose of protecting the relator's share of any funds recovered in this criminal case, that she would have been entitled to had the United States proceeded with just the *qui tam*

case. Order, Dkt. 256, No. 14 CR 229. There was no finding in the criminal case as to what percentage of any recovery Standish was entitled to as her relator's share.

5. The court in the civil *qui tam* case found that Standish was entitled to 22% of all funds recovered in the *qui tam* case. Order, Dkt. 106, No. 12 C 1366.

6. The *qui tam* settlement and consent judgment provide that Standish is entitled to 22% of the settlement amount and restitution amount. Consent Judgment, Dkt. 130-1, No. 12 C 1366.

7. Standish is entitled to 22% of the funds recovered in this criminal action as well, including, but not limited to, the funds ordered to be turned over by the Board of Education of the City of Chicago. Turnover Order, Dkt. 436, No. 14 CR 229.

8. The relator's disbursements may be made out to: "Miller Law LLC Client Fund Account f/b/o Miriam Standish" and sent to "Miller Law LLC, Attn: Anne Jewell, 145 S. Wells St., 18<sup>th</sup> Floor, Chicago, Illinois 60606.

9. On May 23, 2022, this Court entered an Order "that the Clerk of the Court for the Northern District of Illinois is to disburse 22% of all funds recovered as restitution in this case to Miriam Standish, as directed above, and to disburse the remaining 88% to the victims of each defendant, as in the normal course of restitution." ECF No. 439.

10. However, since the entry of the May 23, 2022 Order, and despite the Turnover Order granted in this case on April 29, 2022 (ECF No. 436), the Clerk of the Court has not distributed to Relator 22% of the funds that are the subject of the turnover order.

11. Based upon Relator's counsel's conversations with the Clerk's office, it appears that the reason why Relator's share has not been distributed yet is because the May 23, 2022 Order provides that the Relator receive 22%, with 88% going to the victims. Those percentages are

incorrect because they add up to 110%. The correct percentages, however, should be 22% to Relator and 78% to the victims.

WHEREFORE, the parties jointly respectfully request the entry of an Amended Order such that the Clerk of the Court for the Northern District of Illinois shall promptly disburse 22% of all funds recovered as restitution in this case to Miriam Standish, as directed above in paragraph 8, and to disburse promptly the remaining 78% to the victims of each defendant, as in the normal course of restitution disbursement.

Respectfully submitted,

JOHN R. LAUSCH, Jr.  
United States Attorney

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**CERTIFICATE OF SERVICE**

I, Andrew Szot, one of the attorneys for plaintiff/relator, hereby certifies that on August 22, 2022, service of the foregoing document was accomplished pursuant to ECF as to Filing Users.

In addition, a copy of the foregoing document will be sent via electronic mail to the following:

Patrycja Janeczek  
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/s/ Andy Szot